

Alexandria, VA 22314



PATENT Attorney Docket 056291-5174

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul Richard Gellert et al.)	Confirmation No. 3886
Application No. 10/505,231)	Group Art Unit: 1614
Filed: August 19, 2004)	Examiner: James D. Anderson
For: Pharmaceutical Formulation of Iressa Comprising a Water-Soluble Cellulose Derivative)))	Date: May 29, 2007
U.S. Patent and Trademark Office Customer Service Window, Mail Stop Amendment Randolph Building		

TRANSMITTAL FORM

- 1. Transmitted herewith is an Amendment and Response Under 37 C.F.R. 1.111 in response to the non-final Office Action dated February 28, 2007.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. This response is being timely filed under the next business day rule on Tuesday, May 29, 2007 as the due date for responding fell on a Federal holiday (Monday, May 28, 2007). Applicants do not believe an extension of time is required. However, if Applications have inadvertently overlooked the need for an extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- 3. <u>Fee Calculation</u> (37 C.F.R. 1.16):

CLAIMS AS AMENDED)					
	Remaining		Previously	Extra	Rate	Total
			Paid			Fees
Total Claims	28	minus	31	0	\$50.00 each=	0.00
Independent Claims	5	minus	5	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim \$360.00						0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity					0.00	
					Total Fee =	\$0.00

- 4. Additional Papers Submitted:
 - (i) Copy of page 4 of NDA 21-437/S-002, InspraTM, eplerenone tablets
- 5. Constructive Petition: Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. 1.136(a)(3).

Dated: May 29, 2007 Morgan, Lewis & Bockius LLP Customer No. 09629 1111 Pennsylvania Avenue, N.W. Washington, D.C. 20004 202-739-3000 Respectfully submitted,
Morgan, Lewis & Bockius LLP

Registration No. 46,882





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AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.111

In response to the non-final Office Action dated February 28, 2007, the period for responding to which extends through May 28, 2007, Applicants request reconsideration of the subject application in light of the following amendments and remarks. Because May 28, 2007 was a Federal holiday, this response is being timely filed under the next business day rule on May 29, 2007.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.